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ATTORNEY DOCKET NO.14014.0323U2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Chiorini *et al.*) Art Unit: 1632
Application No. 09/533,427) Examiner: Anne Marie Falk
Filing Date: March 22, 2000) Confirmation No. 8626
For: "AAV5 VECTOR FOR TRANSDUCING)
BRAIN CELLS AND LUNG CELLS")

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.
Customer Number 36339

December 29, 2003

Dear Sir:

Applicant or patent owner hereby appeals under 37 C.F.R. §1.191 to the Board of Patent Appeals and Interferences from the decision of the Examiner dated July 2, 2003 finally rejecting claims 2 and 11-15.

The item(s) checked below are appropriate:

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1. An extension of time to respond to the final rejection:
(a) was obtained for 2 month(s).
(b) is requested herewith under 37 C.F.R. § 1.136.
2. Payment in the amount of \$860.00 for the following fees is to be charged to a credit card and such payment is authorized by the signed, enclosed document entitled Credit Card Payment Form PTO-2038 to cover the following fees:
 Appeal fee amount pursuant to 37 C.F.R. §1.191 and 37 C.F.R. §1.17(b) = \$330.00.

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Extension of time fee amount = \$950.00 – three month extension of time fee minus the \$420.00 two-month extension of time fee submitted on November 13, 2003 = \$530.00.

(a) enclosed.

This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.

Gwendolyn D. Spratt

Gwendolyn D. Spratt
Registration No. 36,016

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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Gwendolyn D. Spratt
Gwendolyn D. Spratt

12-29-07
Date